



City of Annapolis

Department of Planning & Zoning

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Planning Commission

February 5, 2015

The Planning Commission (PC) of the City of Annapolis held its regularly scheduled meeting on February 5, 2015 in City Council Chambers. **Chair** Herald called the meeting to order at 7:03p.m.

Commissioners Present: **Chair** William Herald, **Vice Chair** David Iams, David DiQuinzio, Robert Waldman, Benjamin Sale, Dr. Eleanor Harris

Staff Present: Peter Gutwald, Thomas Smith, Maria Broadbent, Frank Biba

C. APPROVAL OF AGENDA

Dr. Harris moved approval of the agenda as revised to move public hearing item #3 up on the agenda and to add an miscellaneous agenda item. Mr. DiQuinzio seconded the motion. **Passed 5-0.**

D. APPROVAL OF MINUTES

December 4, 2014 Meeting Minutes

Mr. DiQuinzio moved to revise the December 4, 2014 meeting minutes to clarify that the Alderwoman Pindell-Charles and Alderwoman Finlayson both are working on the Rocky Gorge project. Dr. Harris seconded the motion. **Passed 6-0.**

January 21, 2015 Meeting Minutes

Mr. DiQuinzio moved approval of the January 21, 2015 meeting minutes as revised. Mr. Waldman seconded the motion. **Passed 6-0.**

Miscellaneous

Chair Herald followed up on a request from Alderman Littman regarding posting the PC's meeting materials on the website. Mr. Gutwald met with the Public Information Officer and City Manager to determine the best approach for making the PC webpage more user-friendly. He reported that the agenda/minutes are currently being posted in a timely manner. There will be an additional meeting to discuss the best way to add supporting materials to the website and agreed to report at a future meeting.

3. Anne Arundel County Board of Education (BOE) and Maryland Hall for the Creative Arts Planned Development, #PD2014-003

Ms. Rouse presented the application by AACO BOE and Maryland Hall of the Creative Arts requesting planned development approval for their facility located at 801 Chase Street. She explained that the approval is needed to allow them to continue the multi-phase process of renovating their performing arts theater. Phase 1 of the project is the interior renovations and is now complete. Phases 2 and 3 are the south and north additions. Phase 4 is a fly loft and because it is being added to the back of the building on top of the existing theater it has a height greater than 45-feet hence the request for planned development approval. The project has been reviewed through the site design process and by the Maryland Historical Trust who approved it. The project meets all the standards of the planned development. She provided a copy of the phasing schedule and noted that the schedule will allow each phase to be completed within a specific time frame.

Mr. Kenton Drury, Project Manager, explained that the request for a planned development is to enhance the theater experience for resident companies who perform at Maryland Hall and to be more beneficial for outside theater groups. The work is also being performed to enhance the experience of the customers and clients that attend the theater.

Mr. Jeff Morgan, Architect explained that the proposed fly loft will consist of 2,400 square feet and is needed to meet the technical improvement needs of the groups that use the building. He explained the fly loft is being addressed at this time because the new mechanicals are proposed to go through the fly loft and if not approved then the project needs to be redesigned to address mechanical needs. He briefly discussed the proposed materials of the fly loft. He added that they have met with Murray Hill Residents Association.

Public testimony opened at 7:46pm and no one from the public spoke in favor or opposition of the application so **Chair** Herald declared the public hearing closed at 7:46pm.

Mr. Waldman moved to approve the project and adopt the findings of the staff report with a change to the fly loft Phase 4 phasing scheduling dates to read "2019/2020. Mr. DiQuinzio seconded the motion.
Passed 6-0.

Chair Herald accepted the following exhibits into the record.

Exhibit Number	Planning Commission Exhibit Type
1	P. Gutwald staff report dated 1/28/15 with attachments
2	P. Gutwald staff report dated 2/5/15 (Revised)
3	Affidavit of Posting dated 1/16/15 submitted by L. Edinberg

E. UNFINISHED BUSINESS

1. O-32-14, Forest Conservation Requirements:

Mr. Waldman provided a document titled Findings, Opinion and Recommendation" on the Forest Conservation Act Legislation O-32-14 and briefly went over its contents. He concluded that the findings reflect that the forest conservation process needs to be unified so proposed that the PC consider continuing the ordinance for another reiteration.

Dr. Harris moved to continue the application for O-32-15 to the March 5, 2015 meeting. Mr. DiQuinzio seconded the motion. **Passed 6-0.**

F. PUBLIC HEARING

1. R-38-14 Forest Conservation Act Fees and Fines

Ms. Broadbent, Director DNEP, said that she is glad to see legislation sponsored that relates to collecting fees for the forest conservation act that will capture some of staff costs. She explained that there are currently no fees to capture some of the costs associated with enforcing forest conservation and the resolution will set fees and fines. She explained that staff spends a significant amount of time on reviews so would like to impose fees consistent to other permit applications.

Mr. Elson revised the staff reported to include \$250 to the fine column for Final Forest Conservation Plan Application Fee for a single residential lots.... as recommended by Alderman Littman.

Mr. Waldman moved to approve the resolution as revised to include the \$250 change. Mr. DiQuinzio seconded the motion. **Passed 5-1** (Sale dissents)

Public testimony opened at 8:26pm and those speaking on the application are listed below.

Name	Address	In Favor	In Opposition	Commented On
Alderman Littman	Ward 5			X
Alderman Arnett	Ward 8			X

Chair Herald accepted the following exhibits into the record.

Exhibit Number	Planning Commission Exhibit Type
1	Frank Biba staff report dated 1/14/15 with attachments

2. O-35-14 Planning Commission Member Qualification

Mr. Gutwald explained that this is a companion bill to O-32-14 and requires that one of the members of the PC have a technical or scientific experience in the fields of forestry and/or environmental science. He recommends approval of Ordinance O-35-14 as written.

Public testimony opened at 9:06pm and those speaking on the application are listed below.

Name	Address	In Favor	In Opposition	Commented On
Alderman Littman				X
Alderman Arnett				X
Jim Egan			X	
Phillip Dales			X	

No one else from the public spoke on the application so **Chair** Herald declared the public testimony closed at 9:16pm.

Mr. DiQuinzio moved to adopt a set of findings in opposition to the ordinance. Dr. Harris seconded the motion. **Passed 6-0.**

Chair Herald accepted the following exhibits into the record.

Exhibit Number	Planning Commission Exhibit Type
1	P. Gutwald Staff Report dated with attachments
2	Suggested amendment to the language

I. ADJOURNMENT

With there being no further business, **Vice Chair** Iams moved to adjourn the meeting at 9:31pm. Mr. Sale seconded the motion. **Passed 6-0.**

The next meeting is scheduled for March 5, 2015 at 7:00pm.

Tami Hook, Recorder